

## **SUPPLEMENTAL ACTION**

1. This Office Action is a Supplemental Allowance mailing as a follow-up to the previous Notice of Allowance issued on October 6, 2008 that was in response to the Request for Continued Examination (RCE) and amendments/replies filed on June 13, 2008 for the original application titled: "Remittance Payment Processing with Account Scheming and/or Account Validation". Receipt is acknowledged of a Request for Continued Examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on June 13, 2008.

### **Examiner's Amendment/ Comment**

2. An examiner's amendment/comment to the record appears below. Should the changes and/or additions be unacceptable to the applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claims 1-45, 52-53, and 67-68 are hereby cancelled that were 'canceled' by the Applicant per their response 'Amendments to the Claims' dated June 13<sup>th</sup>, 2008. Also, the Applicant is advised to submit formal drawings for Exhibits 1, 2 and 4. The revised drawings need to be submitted as "Replacement Sheets" per MPEP. In addition to the "Replacement Sheet(s)" containing the corrected drawing figure(s), the applicant is required to submit a marked-up copy of each "Replacement Sheet" including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated

Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the Abandonment of the application.

The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because of the deficiencies noted above. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### ***Allowable Subject Matter***

3. Claims 46-51, 54-66 and 69-80 are pending and allowed. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is Patent No. US 6,311,170 issued to Embrey, Mark C. filed on December 3, 1997 that is claiming priority from December 4, 1996 and titled: "Method

and Apparatus for Making Payments and Delivering Payment Information" (hereinafter "Embrey").

Embrey teaches about an improved method of making payments from a plurality of payor entities to a plurality of payee entities through a service provider, a number of method steps which will now be described. First, authorization is obtained from a plurality of payor entities which allows a service provider to make payments, on behalf of the plurality of payor entities, to a plurality of payee entities. Then at least one trusted intermediary financial institution is selected. The trusted intermediary financial institution periodically receives payment information and payment authorization from the plurality of payor entities. The trusted intermediary financial institution automatically transfers funds, in amounts only consistent with at least the payment information, to the service provider. Preferably, the payment information includes at least (1) an identification of each of the plurality of payee entities; (2) an identification of payment amounts for each of the plurality of payee entities; (3) a payment record identifier which is uniquely associated with each payment; and (4) an authorization code which is uniquely associated with each payment record identifier. Additionally, payment instructions are periodically communicated from the plurality of payor entities to the service provider. The payment information includes at least (1) an identification of each of the plurality of payee entities, (2) an identification of payment amounts for each of the plurality of payee entities; and (3) a payment record identifier which is uniquely associated with each payment amount such as a "virtual check number". Then, the service provider is utilized to (1) consolidate payment instructions from the plurality of payor entities, (2) direct a negotiable instrument, in an amount equal to the consolidated payments, to each of the plurality of payee entities, (3) generate payment verification information for the negotiable instruments (such as "positive pay" data), and (4) communicate the payment verification information to the trusted intermediary financial institution. Upon receipt of the negotiable instrument from any of the plurality of payee entities, the trusted intermediary financial institution is utilized to (1) verify the request for payment, and (2) automatically transfer funds between the plurality of payor entities and the service provider in amounts necessary to allow payment (or "honoring of") the negotiable instrument.

4. Applicant's invention in Independent Claim 46 recites: "A computer-implemented method comprising:  
receiving a consumer account number associated with a payor and a payee, wherein the consumer account number is not in a format acceptable to the payee;

selecting at least one alteration rule associated with the payee, wherein the at least one alteration rule is associated with at least one account number format that is acceptable to the payee;

altering the consumer account number to a modified consumer account number based on the at least one alteration rule associated with the payee, and wherein altering the consumer account number to a modified consumer account number includes inserting a character string at a particular position in the consumer account number to create the modified consumer account number; and

transmitting the modified consumer account number to the payee."

Applicant's invention in Independent Claim 61 recites: "A system comprising: a merchant database, wherein the merchant database includes at least one alteration rule stored in association with a payee; and a processor, in communication with the merchant database, wherein the processor executes software instructions for:

receiving a consumer account number associated with a payor and the payee, wherein the consumer account number is not in a format acceptable to the payee,

selecting the at least one alteration rule associated with the payee, wherein the at least one alteration rule is associated with at least one account number format that is acceptable to the payee,

altering the consumer account number to a modified consumer account number based on the at least one alteration rule associated with the payee, and wherein altering the consumer account number to a modified consumer account number includes inserting a character string at a particular position in the consumer account number to create the modified consumer account number, and

transmitting the modified consumer account number to the payee."

Applicant's invention in Independent Claim 76 recites: "A system comprising: means for receiving a consumer account number associated with a payor and a payee, wherein the consumer account number is not in a format acceptable to the payee; means for selecting at least one alteration rule associated with the payee, wherein the at least one alteration rule is associated with at least one account number format that is acceptable to the payee; means for altering the consumer account number to a modified consumer account number based on the at least one alteration rule associated with the payee, and wherein altering the consumer account number to a modified consumer account number includes inserting a character string at a particular position in the consumer account number to create the modified consumer account number; and means for transmitting the modified consumer account number to the payee."

5. With respect to independent Claims 46, 61 and 76, Embrey does Not teach:  
"receiving a consumer account number associated with a payor and a payee, wherein the consumer account number is not in a format acceptable to the payee;  
selecting at least one alteration rule associated with the payee, wherein the at least one alteration rule is associated with at least one account number format that is acceptable to the payee;"

Nor does Embrey teach a means for such a system/product using the above process/method steps.

Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled, "Comments on Statement of Reasons for Allowance".

## Conclusion

6. Applicant's arguments of June 13, 2008 are considered moot based on the Allowance Notice issued on October 6, 2008 and the amendments to the claims submitted by the Applicant per the RCE request on June 13, 2008.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjeev Malhotra whose telephone number is 571-272-7292. The examiner can normally be reached on Flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SM/  
29 October 2008

/James P Trammell/  
Supervisory Patent Examiner, Art Unit 3694

Application/Control Number: 10/043,247  
Art Unit: 3694

Page 8 --- 20081029